THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No. 21950 of 2006

Dated: 23.10.2006

Between:

Smt. S.K.Nazeera.

.... PETITIONER

AND

The Chairman & Managing Director, A.P.State Road Transport Corporation, Hyderabad and another.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No. 21950 of 2006

ORDER:

The petitioner, who is the wife of the deceased employee of the respondents-Corporation, filed the present writ petition to direct the respondents to appoint her as Attender/Sweeper/Store Keeper in the existing vacancies of the Corporation on compassionate grounds.

2. The petitioner states that her husband, namely Shaik Mira Saheb died in harness on 15.04.1999 while working as Conductor in the respondents-Corporation. Thereafter, she submitted representations to the respondents, seeking appointment on compassionate grounds. The respondents, vide proceedings dated 27-03-2000, informed her that she was found physically and mentally fit for appointment as Conductor Grade-V and advised to report her before the Principal Zonal Training College, Nellore on 27-03-2000 for undergoing training. On 28-03-2000, when she reported at Zonal Staff Training College, her name was deleted from the said College. While so, a show cause notice dated 10-05-2000 was issued to her by the 2nd respondent to explain as to why her name should not be deleted from the selection list and subsequently, respondents have deleted her name, vide proceedings dated 07-06-2000. Thereafter, she made representations dated 04-09-2000 and 22-11-2001 to the

respondents, and when the respondents did not consider her representations, she filed W.P. No. 3370 of 2006, and this Court directed the respondents to consider her case. Pursuant to the said orders, respondents issued proceedings dated 29-08-2006 rejecting the case of the petitioner on the ground that she did not possess required educational qualifications for the post of Conductor/Driver/Sramik. Questioning the said proceedings, the petitioner filed the present writ petition.

3. Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondents.

4. A perusal of the record would show that this Court, in earlier round of litigation in W.P. No. 3370 of 2006, directed the respondents to consider the representations of the petitioner and pass appropriate orders thereon in accordance with law. Pursuant to the said directions of this Court, the respondents considered the case of the petitioner and vide proceedings dated 29-08-2006, she was informed that since she did not possess required educational qualifications for the post of Conductor/Driver/Sharamik and as there are no appointments for the posts of Sweeper and Attender in the Corporation, her case for compassionate appointment was rejected and she was directed to apply to the concerned Depot Manager for financial assistance amounting to Rs.25,000/- to Rs.1,00,000/-, basing on her eligibility. But, the petitioner seeks to provide employment on compassionate grounds instead of financial assistance.

5. Since the respondents, by impugned proceedings dated 29.08.2006, considered and rejected the case of the petitioner for

compassionate appointment on the ground that she did not possess required educational qualifications and advised her to make an application for financial assistance, the petitioner now cannot contend that she wants employment instead of financial assistance. In that view of the matter, instead of keeping the writ petition pending, I deem it appropriate to dispose of the writ petition with the following direction.

The petitioner is directed to make an application before the respondents for financial assistance in lieu of employment, and on such application being filed, the respondents shall consider the case of the petitioner and extend the said benefit to the petitioner as per her eligibility.

Accordingly, the writ petition is disposed of. No costs.

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N.V. RAMANA, J.

Date: 23-10-2006

sj/nsr

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